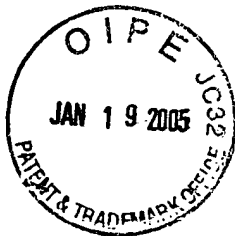


PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)

Atty. Docket No. 91-01 C7



Inventor(s): ESTES et al.

Appln. No.: 10/623,043

Conf. No.: 6442

Filed: July 18, 2003

Title: Sleep Apnea Treatment Apparatus

Examiner: Lewis, A.

Group Art Unit: 3743

Express Mail Label No. (if applicable): EL 997386519 US

This is a request under the provisions of 37 C.F.R. § 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee from the original due date of December 21, 2004 are as follows:

(check time period desired)

- | | | |
|-------------------------------------|---------------------------------------|------------------|
| <input checked="" type="checkbox"/> | One month - 37 C.F.R. § 1.17(a)(1) | \$ <u>120.00</u> |
| <input type="checkbox"/> | Two months - 37 C.F.R. § 1.17(a)(2) | \$ _____ |
| <input type="checkbox"/> | Three months - 37 C.F.R. § 1.17(a)(3) | \$ _____ |
| <input type="checkbox"/> | Four months - 37 C.F.R. § 1.17(a)(4) | \$ _____ |
| <input type="checkbox"/> | Five months - 37 C.F.R. § 1.17(a)(5) | \$ _____ |

Less the previous extension fee of \$ _____ paid in papers dated _____, which were filed in the present application subsequent to the original due date.

- ☒ Fee Transmittal Form Attached. *(Submit original and a duplicate for fee processing)*
- ☐ A check covering the amount due of \$ _____ is enclosed (check no. _____).
- ☒ The Commissioner has already been authorized to charge fees in this application to Deposit Account No. 50-0558.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0558. A duplicate copy of this sheet is enclosed.

I am the ☐ assignee of record of the entire interest.

☐ applicant.

☒ attorney or agent of record.

☐ attorney or agent acting under 37 C.F.R. § 1.34(a), Registration No. 35,174

January 19, 2005

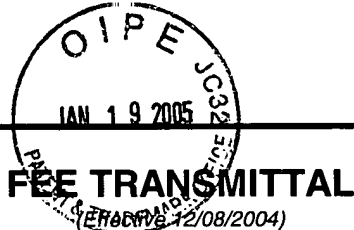
Date

Michael W. Haas

Signature

Michael W. Haas

Typed Name



FEE TRANSMITTAL <small>(RECEIVED 12/08/2004)</small>		Application Number	10/623,043
		Filing Date	July 18, 2003
		First Named Inventor	ESTES et al.
		Confirmation Number	6442
		Group Art Unit	3743
"Express Mail" Label No. EL 997386519 US		Examiner's Name	Lewis, A.
TOTAL AMOUNT OF PAYMENT	\$ 120.00	Attorney Docket No.	91-01 C7

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																													
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: <u>50-0558</u> Deposit Account Name: <u>Respironics, Inc.</u> <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17 and 1.20 <input type="checkbox"/> Charge the Issue Fee set forth in 37 C.F.R. § 1.18		3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. § 41(a)(1)(G) and 37 C.F.R. § 1.16(s). Total Sheets: _____ Extra Sheets: _____ Number of each additional 50 fraction thereof: _____ Fee(\$): _____ Fee Paid(\$): _____ _____ -100 = _____ /50 = _____ (round up to a whole number) X 250 = <u>0.00</u>																																																																																																																																																													
2. <input type="checkbox"/> Payment Enclosed: Check (Check No. _____)		4. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or declaration</td><td></td></tr> <tr><td>1811</td><td>100</td><td>1811</td><td>100</td><td>Certificate of Correction</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>576</td><td>25</td><td>576</td><td>25</td><td>Additional filing receipt, duplicate or corrected due to applicant error</td><td></td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for response within first month</td><td>120.00</td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for response within second month</td><td></td></tr> <tr><td>1253</td><td>1,020</td><td>2253</td><td>510</td><td>Extension for response within third month</td><td></td></tr> <tr><td>1254</td><td>1,590</td><td>2254</td><td>795</td><td>Extension for response within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,160</td><td>2255</td><td>1,080</td><td>Extension for response within fifth month</td><td></td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>1,000</td><td>2403</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>1453</td><td>1,500</td><td>2453</td><td>750</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>1501</td><td>1,400</td><td>2501</td><td>700</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td><td></td></tr> <tr><td>1814</td><td>130</td><td>2814</td><td>65</td><td>Statutory Disclaimer</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Director</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of property)</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination</td><td></td></tr> <tr><td>1504</td><td>300</td><td>1504</td><td>300</td><td>Publication Fee</td><td></td></tr> <tr><td colspan="5">Other Fee (specify) _____</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (3)</td> <td colspan="2">\$ 120.00</td> </tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or declaration		1811	100	1811	100	Certificate of Correction		1812	2,520	1812	2,520	For filing a request for reexamination		576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error		1251	120	2251	60	Extension for response within first month	120.00	1252	450	2252	225	Extension for response within second month		1253	1,020	2253	510	Extension for response within third month		1254	1,590	2254	795	Extension for response within fourth month		1255	2,160	2255	1,080	Extension for response within fifth month		1401	500	2401	250	Notice of Appeal		1402	500	2402	250	Filing a brief in support of an appeal		1403	1,000	2403	500	Request for oral hearing		1452	500	2452	250	Petition to revive unavoidably abandoned application		1453	1,500	2453	750	Petition to revive unintentionally abandoned application		1501	1,400	2501	700	Utility issue fee (or reissue)		1502	800	2502	400	Design issue fee		1814	130	2814	65	Statutory Disclaimer		1460	130	1460	130	Petitions to the Director		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of property)		1801	790	2801	395	Request for Continued Examination		1504	300	1504	300	Publication Fee		Other Fee (specify) _____						SUBTOTAL (3)				\$ 120.00	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																										
1051	130	2051	65	Surcharge - late filing fee or declaration																																																																																																																																																											
1811	100	1811	100	Certificate of Correction																																																																																																																																																											
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																											
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error																																																																																																																																																											
1251	120	2251	60	Extension for response within first month	120.00																																																																																																																																																										
1252	450	2252	225	Extension for response within second month																																																																																																																																																											
1253	1,020	2253	510	Extension for response within third month																																																																																																																																																											
1254	1,590	2254	795	Extension for response within fourth month																																																																																																																																																											
1255	2,160	2255	1,080	Extension for response within fifth month																																																																																																																																																											
1401	500	2401	250	Notice of Appeal																																																																																																																																																											
1402	500	2402	250	Filing a brief in support of an appeal																																																																																																																																																											
1403	1,000	2403	500	Request for oral hearing																																																																																																																																																											
1452	500	2452	250	Petition to revive unavoidably abandoned application																																																																																																																																																											
1453	1,500	2453	750	Petition to revive unintentionally abandoned application																																																																																																																																																											
1501	1,400	2501	700	Utility issue fee (or reissue)																																																																																																																																																											
1502	800	2502	400	Design issue fee																																																																																																																																																											
1814	130	2814	65	Statutory Disclaimer																																																																																																																																																											
1460	130	1460	130	Petitions to the Director																																																																																																																																																											
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																											
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																											
8021	40	8021	40	Recording each patent assignment per property (times number of property)																																																																																																																																																											
1801	790	2801	395	Request for Continued Examination																																																																																																																																																											
1504	300	1504	300	Publication Fee																																																																																																																																																											
Other Fee (specify) _____																																																																																																																																																															
SUBTOTAL (3)				\$ 120.00																																																																																																																																																											
FEE CALCULATION (fees effective 12/08/2004) 1. BASIC FILING, SEARCH, AND EXAM FEES (Large Entity Only) <table border="1"> <thead> <tr> <th>Appl. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Fees Paid</th> </tr> </thead> <tbody> <tr><td>Utility</td><td>300</td><td>500</td><td>200</td><td></td></tr> <tr><td>Design</td><td>200</td><td>100</td><td>130</td><td></td></tr> <tr><td>Plant</td><td>200</td><td>300</td><td>160</td><td></td></tr> <tr><td>Reissue</td><td>300</td><td>500</td><td>600</td><td></td></tr> <tr><td>Provisional</td><td>200</td><td>0</td><td>0</td><td></td></tr> <tr> <td colspan="4">SUBTOTAL (1)</td> <td>\$ 0.00</td> </tr> </tbody> </table>		Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Fees Paid	Utility	300	500	200		Design	200	100	130		Plant	200	300	160		Reissue	300	500	600		Provisional	200	0	0		SUBTOTAL (1)				\$ 0.00	2. CLAIMS <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>_____</td> <td>_____ x 50 =</td> <td></td> </tr> <tr> <td>Ind. Claims _____</td> <td>_____</td> <td>_____ x 200 =</td> <td></td> </tr> <tr> <td colspan="3">Multiple Dependent Claims add _____</td> <td>360 =</td> </tr> <tr> <td colspan="4">* Enter Highest Number Previous Paid For _____</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202 50</td><td>2202 25</td><td>Claims in excess of 20</td></tr> <tr><td>1201 200</td><td>2201 100</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203 360</td><td>2203 180</td><td>Multiple dependent claim</td></tr> <tr><td>1204 200</td><td>2204 100</td><td>Reissue independent claims over original patent</td></tr> <tr><td>1205 50</td><td>2205 25</td><td>Reissue claims in excess of 20 and over original patent</td></tr> <tr> <td colspan="2">SUBTOTAL (2)</td> <td>\$ 0.00</td> </tr> </tbody> </table>		Total Claims	Extra Claims	Fee from Below	Fee Paid	_____	_____	_____ x 50 =		Ind. Claims _____	_____	_____ x 200 =		Multiple Dependent Claims add _____			360 =	* Enter Highest Number Previous Paid For _____				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	1202 50	2202 25	Claims in excess of 20	1201 200	2201 100	Independent claims in excess of 3	1203 360	2203 180	Multiple dependent claim	1204 200	2204 100	Reissue independent claims over original patent	1205 50	2205 25	Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)		\$ 0.00																																																																																
Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Fees Paid																																																																																																																																																											
Utility	300	500	200																																																																																																																																																												
Design	200	100	130																																																																																																																																																												
Plant	200	300	160																																																																																																																																																												
Reissue	300	500	600																																																																																																																																																												
Provisional	200	0	0																																																																																																																																																												
SUBTOTAL (1)				\$ 0.00																																																																																																																																																											
Total Claims	Extra Claims	Fee from Below	Fee Paid																																																																																																																																																												
_____	_____	_____ x 50 =																																																																																																																																																													
Ind. Claims _____	_____	_____ x 200 =																																																																																																																																																													
Multiple Dependent Claims add _____			360 =																																																																																																																																																												
* Enter Highest Number Previous Paid For _____																																																																																																																																																															
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description																																																																																																																																																													
1202 50	2202 25	Claims in excess of 20																																																																																																																																																													
1201 200	2201 100	Independent claims in excess of 3																																																																																																																																																													
1203 360	2203 180	Multiple dependent claim																																																																																																																																																													
1204 200	2204 100	Reissue independent claims over original patent																																																																																																																																																													
1205 50	2205 25	Reissue claims in excess of 20 and over original patent																																																																																																																																																													
SUBTOTAL (2)		\$ 0.00																																																																																																																																																													

SUBMITTED BY			
Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	January 19, 2005
		Deposit Account Number	50-0558